D STATES PATENT AND TRADEMAR rg See Board of Patent Appeals and Interfer

In re Patent Application of

MACLEAN et al

Serial No. 08/776,350

Filed: April 18, 1997

TREATMENT OF CANCER USING HSV

MUTANT

Honorable Commissioner for Patents and Trademarks

Washington, DC 20231

Attv Dkt.: 117-231

C# M# GP1642

Group Art Unit: 1642

Examiner: Ungar

Date: June 2, 1999

TECH CENTER 1600/2900

Sir: Ø

NOTICE	OF A	PPE	AL
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Applicant hereby appeals to the Board of Appeals from the decision dated of the Examiner twice/finally February 2, 1999 20, 22, 24-30, 32-34 (\$ 300.00) rejecting claims

and 36-42

above-identified application (\$ 300.00)

An appeal **BRIEF** is attached in triplicate in the pending appeal of the

An **ORAL HEARING** is requested under Rule 194 (\$ 260.00) (due within two months after Examiner's Answer)

Credit for fees paid in prior appeal without decision on merits

A reply brief is attached in triplicate under Rule 193(b)

(no fee)

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Petition is hereby made to extend the current due date so as to cover the filing date of this Ø paper and attachment(s) (\$110.00/1 month; \$380.00/2 months; \$870.00/3 months; \$1,360.00/4 months) \$

SUBTOTAL

110.00 410.00

Applicant is a "small entity"; enter ½ of subtotal and subtract

[] "small entity" statement attached

SUBTOTAL

\$ 410.00

Less month extension previously paid on

TOTAL FEE ENCLOSED

410.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge and deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereaft the bed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached. 00000061 08776350

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MJW:tat

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955